

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 98-653-S - ORDER NO. 2003-232

APRIL 11, 2003

IN RE: Application of Palmetto Utilities, Inc. for)	ORDER RELEASING
Approval of an Increase in its Rates and)	APPEALS BOND
Charges for its Sewer Services in its Service)	
Area.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Palmetto Utilities, Inc. (Palmetto or the Company) for the release of a bond allowing the Company to place the originally requested rate schedule into effect during the appeal of this rate case.

This Commission issued Order Nos. 2000-0481 and 2000-675 in this rate case. In Order No. 2000-675, we denied the filed Petitions for Reconsideration, however, we also addressed the issue of an appeal bond. Palmetto had requested that, should its Petition be denied, this Commission approve a bond pursuant to S.C. Code Ann. Section 58-5-240(D)(Supp. 1999), so that Palmetto could place the requested rate schedule under bond during appeal. The Company submitted a proposed bond form to be executed by a surety company authorized to do business in South Carolina, and suggested the figure of \$125,000 as an adequate bond to be posted. We approved both the form and the proposed amount, solely for the purpose of allowing Palmetto to place the requested rate schedule into effect during the appeal of this case. The appeal bond was therefore accordingly approved.

Palmetto appealed the Commission-granted amount of the rate increase to the Circuit Court, which remanded the matter to the Commission. The Commission, pursuant

to the Circuit Court Order of November 19, 2001, subsequently granted the full amount of the requested rate increase in Order No. 2001-1119.

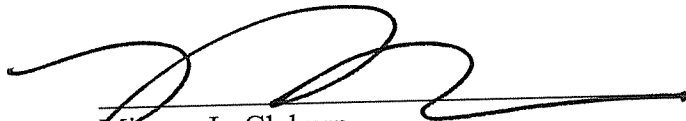
The Circuit Court also issued an Order ruling against the Consumer Advocate's position that plant impact fees should have been counted as revenue in this rate case. The Consumer Advocate subsequently appealed the Circuit Court Order to the South Carolina Supreme Court, which affirmed the lower Court and the Commission. The remittitur has been sent by the Supreme Court.

Accordingly, the case is over, and the full amount of the rate increase remains in effect. For that reason, no refunds covered by the bond are appropriate, and the granted appeal bond may be released.

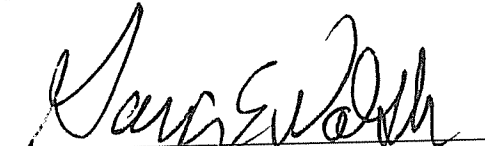
The appeal bond granted in Order No. 2000-675 is hereby released.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Mignon L. Clyburn
Chairman

ATTEST:


Gary E. Walsh
Executive Director

(SEAL)